IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 688 of 2007

KUMBHA RAM
V/S
STATE & ORS.

Mr. GR GOYAL, for the appellant / petitioner

Date of Order : 24.4.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner.

Learned counsel for the petitioner invited my attention to previous order of this Court dated 4.10.2006, whereby the matter was remanded to Superintending Engineer for consideration on the question of notice. Thereafter, the Superintending Engineer has passed the order Annex.3 dated 6.1.07, and has found that the notice was published at various places, and was affixed, and it was admitted on the side of the present petitioner that notice was affixed on the Gram Panchayat. Thus, it was found that the present petitioner, despite having notice of the date fixed, did not appear before the Executive Engineer.

That apart, learned counsel for the petitioner has not been able to show, as to how is he adversely affected by closer of Naka on Kila No.21, as by that Naka the lands

of the private respondents were being irrigated, and the land of the petitioner is being irrigated from the Naka existing on Kila No.25. In my view, in these circumstances, the impugned order does not require any interference. The writ petition is, therefore, dismissed summarily.

(N P GUPTA),J.

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